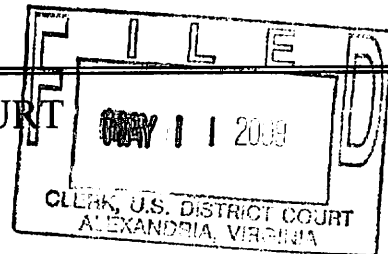


UNDER SEAL

AO 91 (Rev. 01/09) Criminal Complaint

UNITED STATES DISTRICT COURT
for the
Eastern District of Virginia



United States of America
v.
JAMES WILBUR FONDREN, JR.

Case No.

1:09 MJ 327

*Defendant(s)***CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief. On or about the date(s) of Nov. 2004 to Feb. 11, 2008 in the county of Arlington, VA in the Eastern District of Virginia, the defendant(s) violated 50 U.S.C. § 783(a) and 18 U.S.C. § 371 an offense described as follows:

Defendant JAMES WILBUR FONDREN, JR., while serving as an employee of the United States, to wit: Deputy Director of the United States Pacific Command, Washington Liaison Office, in the Department of Defense, did unlawfully and knowingly conspire with other persons, known and unknown, to commit the following offense against the United States: to communicate in some manner and by some means, to a person whom defendant FONDREN knew and had reason to believe was an agent and representative of a foreign government, information of a kind which had been classified by the head of a United States agency with the approval of the President, as affecting the security of the United States, said defendant having known and having had reason to know that such information had been so classified,

This criminal complaint is based on these facts:

SEE ATTACHED AFFIDAVIT

☒ Continued on the attached sheet.

Complainant's signature

Robert M. Gibbs, Special Agent, FBI

Printed name and title

Sworn to before me and signed in my presence.

Date:

5/11/09

City and state:

Alexandria, Virginia

/s/

Theresa Carroll Buchanan
United States Magistrate Judge

Judge's signature

Theresa Carroll Buchanan, U.S. Magistrate Judge

Printed name and title